

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:20-cv-10189-FDS**

Hawkinson v. Immigration and Customs Enforcement et al  
Assigned to: Chief Judge F. Dennis Saylor, IV  
Cause: 05:552 Freedom of Information Act

Date Filed: 01/31/2020  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Pro Se Party John A. Hawkinson**

represented by **John A. Hawkinson**  
P.O. Box 397103  
Cambridge, MA 02139-7103  
617-797-0250  
Email: [jhawk@alum.mit.edu](mailto:jhawk@alum.mit.edu)  
PRO SE

V.

**Defendant**

**Immigration and Customs  
Enforcement**

represented by **Michael P. Sady**  
United States Attorney's Office  
John Joseph Moakley Federal Courthouse  
1 Courthouse Way  
Suite 9200  
Boston, MA 02210  
617-748-3362  
Fax: 617-748-3971  
Email: [michael.sady@usdoj.gov](mailto:michael.sady@usdoj.gov)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Executive Office for Immigration  
Review**

represented by **Michael P. Sady**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Department of Homeland Security**

represented by **Michael P. Sady**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Department of Justice**

represented by **Michael P. Sady**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
01/31/2020	<u>1</u>	COMPLAINT For Injunctive Relief against All Defendants, filed by John A. Hawkinson. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Cover Letter, # <u>9</u> Civil Cover Sheet, # <u>10</u> Category Form)(Kelly, Danielle). (Entered: 01/31/2020)
01/31/2020	<u>2</u>	MOTION for Leave to file electronically Pro Se by John A. Hawkinson.(Kelly, Danielle) (Entered: 01/31/2020)
01/31/2020	<u>3</u>	MOTION to Set 30-Day Time For Answer Pursuant To Freedom of Information Act, 5 USC S552(a)(4)(C) by John A. Hawkinson. (Kelly, Danielle) (Entered: 01/31/2020)

01/31/2020	<u>4</u>	Filing fee/payment: \$ 400.00, receipt number 1BST078479 for <u>1</u> Complaint, (Currie, Haley) (Entered: 01/31/2020)
01/31/2020	<u>5</u>	ELECTRONIC NOTICE of Case Assignment. Chief Judge F. Dennis Saylor, IV assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Donald L. Cabell. (Finn, Mary) (Entered: 01/31/2020)
01/31/2020	<u>6</u>	Summons Issued as to All Defendants. <b>Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.</b> (Kelly, Danielle) (Entered: 01/31/2020)
02/03/2020	<u>7</u>	Chief Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>2</u> Motion for leave to electronically file Pro Se.  The court grants permission on the condition that the plaintiff satisfies all applicable training and other requirements for pro se litigants as stated in the CM/ECF Administrative Procedures, Page 5. The plaintiff is directed to complete the registration form accessible at <a href="https://public.mad.uscourts.gov/ecfreg.html">https://public.mad.uscourts.gov/ecfreg.html</a>  (Bono, Christine) (Entered: 02/03/2020)
02/03/2020	<u>8</u>	Chief Judge F. Dennis Saylor, IV: "The motion is DENIED without prejudice. The motion requests an order directing respondents to follow the requirements of a federal statute. No court involvement is required unless the statutory requirement is not followed." ELECTRONIC ORDER entered denying <u>3</u> Motion without prejudice. (Bono, Christine) (Entered: 02/03/2020)
02/04/2020	<u>9</u>	SUMMONS Returned Executed as to US Attorney by John A. Hawkinson. Department of Homeland Security served on 1/31/2020, answer due 3/2/2020; Department of Justice served on 1/31/2020, answer due 3/2/2020; Executive Office for Immigration Review served on 1/31/2020, answer due 3/2/2020; Immigration and Customs Enforcement served on 1/31/2020, answer due 3/2/2020. (Hawkinson, John) (Entered: 02/04/2020)
02/04/2020	<u>10</u>	SUMMONS Returned Executed by John A. Hawkinson. (Hawkinson, John) (Entered: 02/04/2020)
02/05/2020	<u>11</u>	SUMMONS Returned Executed by John A. Hawkinson. All Defendants., SUMMONS Returned Executed by John A. Hawkinson. (Attachments: # <u>1</u> Supplement Certified receipt for ATTORNEY GENERAL (all defendants, pursuant to FRCP4(i)(1)(B)))(Hawkinson, John) (Entered: 02/05/2020)
02/05/2020	<u>12</u>	SUMMONS Returned Executed by John A. Hawkinson. Department of Justice served on 2/5/2020, answer due 3/6/2020., SUMMONS Returned Executed by John A. Hawkinson. (Attachments: # <u>1</u> Supplement Certified receipt for DEPARTMENT OF JUSTICE)(Hawkinson, John) (Entered: 02/05/2020)
02/06/2020	<u>13</u>	SUMMONS Returned Executed by John A. Hawkinson. Department of Homeland Security served on 2/6/2020, answer due 3/9/2020; Immigration and Customs Enforcement served on 2/6/2020, answer due 3/9/2020., SUMMONS Returned Executed by John A. Hawkinson. (Attachments: # <u>1</u> Supplement Certified receipt for IMMIGRATION AND CUSTOMS ENFORCEMENT, # <u>2</u> Certified receipt for DEPT. OF HOMELAND SECURITY)(Hawkinson, John) (Entered: 02/06/2020)
02/10/2020	<u>14</u>	NOTICE of Appearance by Michael P. Sady on behalf of Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement (Sady, Michael) (Entered: 02/10/2020)
03/06/2020	<u>15</u>	MOTION for Extension of Time to April 6, 2020 to File Answer or Otherwise Respond by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement.(Sady, Michael) (Entered: 03/06/2020)
03/06/2020	<u>16</u>	RESPONSE to Motion re <u>15</u> MOTION for Extension of Time to April 6, 2020 to File Answer or Otherwise Respond : non-opposition with request for scheduling

		<i>conference filed by John A. Hawkinson. (Hawkinson, John) (Entered: 03/06/2020)</i>
04/06/2020	<u>17</u>	MOTION for Extension of Time to 4/20/20 to File Response/Reply by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement.(Sady, Michael) (Entered: 04/06/2020)
04/06/2020	<u>18</u>	RESPONSE to Motion re <u>17</u> MOTION for Extension of Time to 4/20/20 to File Response/Reply <i>indicating assent</i> filed by John A. Hawkinson. (Hawkinson, John) (Entered: 04/06/2020)
04/07/2020	<u>19</u>	Chief Judge F. Dennis Saylor, IV: ELECTRONIC granting <u>17</u> Motion for Extension of Time to File Response/Reply. Answers due 4/20/2020. (Bono, Christine) (Entered: 04/07/2020)
04/20/2020	<u>20</u>	ANSWER to <u>1</u> Complaint, by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement.(Sady, Michael) (Entered: 04/20/2020)
04/22/2020	<u>21</u>	ELECTRONIC NOTICE of Scheduling Conference: Scheduling Conference set for 5/19/2020 03:10 PM in Courtroom 10 before Chief Judge F. Dennis Saylor IV. (Attachments: # <u>1</u> Scheduling Order Template). <i>This hearing may be held by telephone; the clerk shall be in contact with parties prior to determine same. The clerk shall post updated hearing information on the docket when it becomes available.</i> (Bono, Christine) (Entered: 04/22/2020)
05/11/2020	<u>22</u>	Joint CERTIFICATION pursuant to Local Rule 16.1 by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement.(Sady, Michael) (Entered: 05/11/2020)
05/11/2020	<u>23</u>	AMENDED COMPLAINT <i>First Amended Complaint</i> against All Defendants, filed by John A. Hawkinson. (Attachments: # <u>1</u> Exhibit A: FOIA.gov acknowledgment of EOIR request, # <u>2</u> Exhibit B: Letter acknowledgment of EOIR request, # <u>3</u> Exhibit C: Email acknowledgment of ICE request, # <u>4</u> Exhibit D: ICE FOIA contact webpage, # <u>5</u> Exhibit E: DHS FOIA status check webpage result, # <u>6</u> Exhibit F: DHS FOIA contact webpage, # <u>7</u> Exhibit G: DHS FOIA Public Liaison Bennett email correspondence, # <u>8</u> Exhibit HH: Dec. 16 declaration of ACIJ Jose A. Sanchez, # <u>9</u> Exhibit II: Jan. 22 email to ICE FOIA seeking status, # <u>10</u> Exhibit JJ: March 2 ICE FOIA email reply, # <u>11</u> Exhibit KK: Jan. 23, 24 emails to ICE FOIA seeking telephone number, # <u>12</u> Exhibit LL: DHS FY19 Annual FOIA Report, # <u>13</u> Exhibit MM: DHS FOIA status check webpages of Feb. 4, March 1, and April 17, # <u>14</u> Exhibit NN: ICE FOIA production of April 22, # <u>15</u> Exhibit OO: Cover letter for ICE Production)(Hawkinson, John) (Entered: 05/11/2020)
05/11/2020	<u>24</u>	NOTICE by John A. Hawkinson re <u>23</u> Amended Complaint,,, <i>Plaintiff's notice of first amended complaint</i> (Attachments: # <u>1</u> Redline of First Amended Complaint)(Hawkinson, John) (Entered: 05/11/2020)
05/12/2020	<u>25</u>	Supplemental CERTIFICATION pursuant to Local Rule 16.1 <i>pro-se Plaintiff's 16.1(d)(3) "certification"</i> . (Hawkinson, John) (Entered: 05/12/2020)
05/13/2020	<u>26</u>	NOTICE re: Scheduling Conference set for 5/19/2020 03:10 PM before Chief Judge F. Dennis Saylor IV. <b>This hearing shall be conducted remotely, by telephone only. Counsel of record will receive dial-in instructions at the email registered in CM/ECF.</b> (Bono, Christine) (Entered: 05/13/2020)
05/19/2020	<u>27</u>	Electronic Clerk's Notes for proceedings held before Chief Judge F. Dennis Saylor, IV: Scheduling Conference held on 5/19/2020. Case called; hearing is conducted by telephone. Parties update court as to status of document production and anticipated trajectory of case. Court sets further status conference.  <b>NOTICE OF HEARING:</b> Telephone Status Conference set for 6/5/2020 at 11:00 AM before Chief Judge F. Dennis Saylor IV. <b>This hearing shall be conducted remotely, by telephone only. Counsel of record will receive dial-in instructions at the email registered in CM/ECF.</b>

		(Court Reporter: Valerie OHara at vaohara@gmail.com.) (Attorneys present: Hawkinson, Sady) (Bono, Christine) (Entered: 05/19/2020)
05/26/2020	<u>28</u>	ANSWER to <u>23</u> Amended Complaint,,, by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement.(Sady, Michael) (Entered: 05/26/2020)
06/01/2020	<u>29</u>	Transcript of Telephonic Scheduling Conference held on May 19, 2020, before Chief Judge F. Dennis Saylor IV. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Valerie OHara at vaohara@gmail.com Redaction Request due 6/22/2020. Redacted Transcript Deadline set for 7/2/2020. Release of Transcript Restriction set for 8/31/2020. (Scalfani, Deborah) (Entered: 06/01/2020)
06/01/2020	30	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> (Scalfani, Deborah) (Entered: 06/01/2020)
06/05/2020	31	Electronic Clerk's Notes for proceedings held before Chief Judge F. Dennis Saylor, IV: Status Conference held on 6/5/2020. Case called; hearing is conducted by telephone. Court discussed with parties anticipated scheduling of production, and set further status conference.  <b>NOTICE OF HEARING:</b> Telephone Conference set for 6/30/2020 03:30 PM before Chief Judge F. Dennis Saylor IV.  (Court Reporter: Valerie OHara at vaohara@gmail.com.) (Attorneys present: Hawkinson, Sady) (Bono, Christine) (Entered: 06/05/2020)
06/11/2020	<u>32</u>	Transcript of Telephonic Status Conference held on June 5, 2020, before Chief Judge F. Dennis Saylor IV. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Valerie OHara at vaohara@gmail.com Redaction Request due 7/2/2020. Redacted Transcript Deadline set for 7/13/2020. Release of Transcript Restriction set for 9/9/2020. (Scalfani, Deborah) (Entered: 06/11/2020)
06/11/2020	33	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> (Scalfani, Deborah) (Entered: 06/11/2020)
06/26/2020	34	ELECTRONIC NOTICE OF RESCHEDULING: Telephone Status Conference reset for 7/1/2020 at 3:20 PM before Chief Judge F. Dennis Saylor IV.  <b>This hearing shall be conducted remotely, by telephone only. Counsel of record will receive dial-in instructions at the email registered in CM/ECF.</b>  Access to the hearing will be made available to the media and public by way of teleconference. In order to gain access to the hearing via teleconference you must sign up at the following address: <a href="http://www.public.mad.uscourts.gov/seating-signup">www.public.mad.uscourts.gov/seating-signup</a> . For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a> or contact <a href="mailto:www.media@uscourts.gov">www.media@uscourts.gov</a> .  Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violations of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, or denial of entry to future hearings, and such other sanctions, including for contempt of court, as may be deemed appropriate or necessary by the court.

		(Bono, Christine) (Entered: 06/26/2020)
06/29/2020	<u>35</u>	STATUS REPORT for June 5–29 by John A. Hawkinson. (Hawkinson, John) (Entered: 06/29/2020)
07/01/2020	36	<p>Electronic Clerk's Notes for proceedings held before Chief Judge F. Dennis Saylor, IV: Status Conference held on 7/1/2020. Case called; hearing is conducted by telephone. Court is updated as to status of document production. Court sets further status conference.</p> <p><b>NOTICE OF HEARING:</b> Telephone Status Conference set for 8/5/2020 at 3:20 PM before Chief Judge F. Dennis Saylor IV.</p> <p><b>This hearing shall be conducted remotely, by telephone only. Counsel of record will receive dial-in instructions at the email registered in CM/ECF.</b></p> <p>Access to the hearing will be made available to the media and public by way of teleconference. In order to gain access to the hearing via teleconference you must sign up at the following address: <a href="http://www.public.mad.uscourts.gov/seating-signup">www.public.mad.uscourts.gov/seating-signup</a>. For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a> or contact <a href="mailto:www.media@uscourts.gov">www.media@uscourts.gov</a>.</p> <p>Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violations of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, or denial of entry to future hearings, and such other sanctions, including for contempt of court, as may be deemed appropriate or necessary by the court.</p> <p>(Court Reporter: Valerie OHara at <a href="mailto:vaohara@gmail.com">vaohara@gmail.com</a>.) (Attorneys present: Hawkinson, Sady) (Bono, Christine) (Entered: 07/01/2020)</p>